

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

GREEN & HEALTHY HOMES
INITIATIVE, Inc., *et al.*,

PLAINTIFFS,

v.

ENVIRONMENTAL PROTECTION,
AGENCY, *et al.*,

DEFENDANTS.

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No. 1:25-cv-01096-ABA

***CORRECTED* MOTION TO DISMISS, FOR TRANSFER
TO THE COURT OF FEDERAL CLAIMS,
OR IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT¹**

Defendants U.S. Department of Environmental Protection, *et al.*, by and through undersigned counsel, hereby file this Motion to Dismiss under Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Procedure, Motion to Dismiss or Transfer under Rule 12(b)(1), 28 U.S.C. § 1491(a)(1), 28 U.S.C. § 1631 and 28 U.S.C. § 1292(d)(4)(B), or in the alternative, for Summary Judgment under Rule 56.

For the reasons set forth in further detail in the attached Memorandum of Law, the Court lacks subject matter jurisdiction over the Plaintiffs' claims and should either dismiss or transfer this case to the Court of Federal Claims, Plaintiffs cannot establish entitlement to a preliminary injunction, and Defendants are entitled to summary judgment in their favor.

¹ Counsel for Defendant was unable to properly format and file the motion, memorandum, table of contents and order and e-file them prior to midnight on 5/20/2025 due to technical difficulties encountered with a new and recently provided office laptop. Counsel for Plaintiffs' counsel was contacted regarding the need to file a *corrected* version; they have no objection and have provided their consent.

